



**COUNCIL WORK SESSION**  
**Tuesday, October 13, 2015**  
**6:30 p.m.**  
**Coon Rapids City Center**  
**Conference Room 1**

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**Call to Order**

Pursuant to Minnesota Statute 13D.04, subd. 2, the City Council will meet in work session to discuss the following:

1. Native Planting Ordinance
2. Chickens in Residential Areas
3. Chapter 5-200 Alcoholic Beverage Code Amendments

**Other Business**

**Adjourn**



## City Council Work Session

1.

**Meeting Date:** 10/13/2015

**Subject:** Native Planting Ordinance

**From:** Kristin DeGrande, Neighborhood  
Coordinator

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### **INTRODUCTION**

Last spring, the Sustainability Commission expressed interest in looking at potential policies that might enhance environmental sustainability in the community. Among the issues they asked staff to examine were polices/regulations that would accommodate native plantings/landscapes that could be used as an alternative to traditional turf grass. Over the course of the summer, Community Development staff assisted in researching how other communities are approaching this topic and drafted the attached memo that describes the relevant policy considerations.

### **DISCUSSION**

The City of Coon Rapids has not yet codified a policy regarding native planting, and some confusion exists among residents regarding the difference between an intentional native landscape and a poorly managed yard. Other suburbs in the metro area have adopted ordinances specifically addressing the issue of native planting in an effort to clarify and encourage the practice.

Setting and enforcing standards for management of private landscape enhances the aesthetic appeal of neighborhoods, contributes to property values, and reinforces environmental health citywide. Native planting, in which plants indigenous to Minnesota are reintroduced and managed, provides more benefits than a traditional turf-grass lawn. Native vegetation encourages water conservation, aids pollinators, and requires less usage of harmful fertilizers or pesticides – all while adding diversity to the city's landscapes.

Currently, Coon Rapids does not have an ordinance in place to adequately address native planting. The current weed and lawn care ordinance (8-500) limits weeds or grass to eight inches throughout nearly the entire city, and wide discretion is granted to the weed inspector to declare a nuisance. Under the current ordinance, a resident wishing to install native planting or alternative landscaping would have to successfully argue that plants over eight inches do not constitute a detriment to the convenience or comfort of residents, nor contribute to an undefined "*general aesthetic depreciation*." Without a City Code that specifically addresses these types of plantings/landscape, city staff is forced to negotiate with several property owners each year through this appeal process regarding the condition of their yard and whether, in it's current condition, it could be an approved landscape or remain in violation of City Code.

#### **Issues to consider in implementing a native planting ordinance:**

- Should the City issue permits and/or require some type of landscape plan for native planting areas?
- Should the City require a fee for registering and/or permitting a native planting area?
- Should the City consider adopting a policy versus an ordinance? It is important to note, that a policy

would be difficult to enforce since it would lack specific standards and the City probably couldn't use the administrative citation process if problems were encountered.

- Should the City define approved plant materials, location of plantings, and maintenance requirements in order to enhance the appearance of the property?
- Should the City establish limits on how much of a yard can be used for native planting areas and furthermore should there be setbacks established from rights-of-way and neighboring properties?

It is also important to note, that most native planting areas take at least 3 years to establish and the interim appearance can be challenging for neighbors. If the City were to establish an ordinance, staff may need to bring in outside expertise to help evaluate landscape plans and consult on enforcement actions in non-compliance situations.

The Sustainability Commission reviewed the attached memo and provided some comments to the proposed language. In general, the group felt that any ordinance should have a list of prohibited and acceptable plants; differentiate between native landscape areas and wildflower gardens; and perhaps require some kind of training component before establishing a native planting area. Obviously, any new ordinance would need to be drafted in consultation with legal staff.

### **RECOMMENDATION**

Staff is seeking feedback from the City Council on whether to pursue a Native Plantings Ordinance.

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### **Attachments**

Native Planting Memo

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TO: Colleen Sinclair, Recycling Coordinator  
Sustainability Commission

FROM: Parker Evans, Economic Development Intern  
Grant Femelius, Community Development Director

SUBJECT: Native Planting Ordinance

DATE: September 11, 2015

## **Introduction**

The City of Coon Rapids has not yet codified a policy regarding native planting, and some confusion exists among residents regarding the difference between an intentional native landscape and a poorly managed yard. Other suburbs in the metro area have adopted ordinances specifically addressing the issue of native planting in an effort to clarify and encourage the practice.

This memo identifies potential strategies from a survey of Coon Rapids' peer cities, recommends elements that Coon Rapids might include in a native planting ordinance, and volunteers some initial language that the City can use as a starting point.

## **Native Planting Ordinance Survey and Best Practices**

Setting and enforcing standards for management of private greenery enhances the aesthetic appeal of neighborhoods, contributes to property values, and reinforces environmental health citywide. Native planting, in which plants indigenous to Minnesota are reintroduced and managed, provides more benefits than a traditional turf-grass lawn. Native vegetation encourages water conservation, aids pollinators, and requires less usage of harmful fertilizers or pesticides—all while adding diversity to the city's landscapes.

As of September 2015, Coon Rapids does not have an ordinance in place to adequately address native planting. The current weed and lawn care ordinance (8-500) limits weeds or grass to eight inches throughout nearly the entire city, and wide discretion is granted to the weed inspector to declare a nuisance. Under the current ordinance, a resident wishing to install native planting or alternative landscaping would have to successfully argue that plants over eight inches do not constitute a detriment to the convenience or comfort of residents, nor contribute to an undefined "*general aesthetic depreciation*".

The most important categorical decision in implementing a native planting ordinance is determining whether the City should issue permits for native planting areas, and if so, how detailed the permits and application process should be. The cities of Fridley and Burnsville do not have a specific permitting process in place, but instead define native planting areas (which are exempt from normal height restrictions) in their weed/lawn ordinances. While this approach removes some administrative burdens from city staff at the front desk, it makes the weed inspectors' jobs more difficult. Moreover, a lack of formal permit may suggest to residents who are unfamiliar with complicated landscaping that the maintenance required by a native planting area is trivial, which could lead to abandoned or poorly-managed areas. Finally, no formal registration leaves city staff in the dark as to where these areas exist, which can lead to confusion with concerned neighbors.

Conversely, the city could require a permit to install alternative landscaping. The cities of Golden Valley and Eden Prairie have adopted this approach. In both of these cities, the permit application is quite complicated and involved, and may not be possible to complete without a licensed landscape architect. If the stated goal of the ordinance is to increase landscape diversity, assist pollinators, and encourage water conservation, it may not be prudent to introduce a cost barrier that would preclude a large portion of the population from installing native landscaping. Moreover, an elaborate permit and application process would place a significant burden on city staff, who would need to review applications, issue permits, inspect sites, manage records, collect payments and handle renewals.

Coon Rapids should search for a model that empowers the city to be aware of native landscaping sites, yet doesn't impose overly large barriers to installing such sites. One possible model is a simpler and more noninvasive pseudo-permit system. The City of Brooklyn Park requires "Managed Natural Landscapes" to be identified by a small sign advising curious residents that the land is being returned to native vegetation. This sign requirement could be an opportunity for the City of Coon Rapids to require that native planting areas be identified by a *city-issued sign* at little or no cost. This necessitates a trip to City Hall, which provides a barrier low enough that anyone can participate, but high enough that a resident must be thoughtful enough to actively pursue native landscaping (as opposed to simply claiming an unkempt turf-grass lawn as "native landscaping"). Moreover, issuing a sign presents an opportunity for city staff to issue literature and answer questions regarding native landscaping and proper maintenance to interested residents. Finally, the City can keep records of which properties were issued signs, which may help staff to inform confused or concerned neighbors.

**Sample ordinance outline for edits:**

- a) A Native Landscaping Area is a planned, intentional and maintained designated area where native plants are being or have been planted.
- b) Native plants are grasses, wildflowers, forbs, ferns, shrubs that are plant species native to or naturalized to the state of Minnesota, excluding prohibited exotic species, as defined by Minnesota Statutes Chapter 84D. Native plants do not include weeds.
- c) Native Landscaping Areas must be maintained so as not to include unintended vegetation.
- d) Native Landscaping Areas shall not include turf-grass lawns left unattended for the purpose of returning to a natural state.
- e) Native Landscaping Areas may not include any plantings, which due to location and manner of growth, constitute a hazard to the public or may cause injury or damage to persons or property when such growth is in violation of other applicable sections of city code.
- f) Native Landscaping Areas must be set back not less than four feet from the side and/or rear lot lines. No set back is required on the side or rear lot lines if:
  - 1) There is a fully opaque fence at least four feet in height installed between the native plants and the side or rear lot lines OR

2) The Native Landscaping Area abuts a neighboring Native Landscaping Area

g) Native Landscaping Areas must have a sign posted on the property in a location likely to be seen by the public, advising that a Native Landscaping Area is being established. This sign must be issued by the City.



## **City Council Work Session**

2.

**Meeting Date:** 10/13/2015

**Subject:** Chickens in Residential Areas

**Submitted For:** Colleen Sinclair, Recycling Coordinator

**From:** Colleen Sinclair, Recycling Coordinator

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### **INTRODUCTION**

Per City Council request, City staff will present additional information regarding residential chicken coops.

### **DISCUSSION**

Staff will present to the City Council information that has been researched and compiled related to keeping chickens on residential lots within the City Of Coon Rapids. Various departments have been meeting over the past few months to discuss raising chickens in backyard coops. Discussions have covered pros and cons, as well as violations that have taken place in the City surrounding chickens and other fowl. Items considered include zoning regulations, permit options, what other cities are doing in this regard and more.

This following information was compiled and formatted in a sample document for Council review and feedback. These items have been gathered from other City ordinances currently in place. Some are very basic and some offer greater depth. City staff believes this is a good starting point to discuss potential implications, concerns, and Council desires for possible inclusion into City Code. If Council wishes to move forward and allow chickens, discussion can then focus on specific criteria and language to be incorporated into a Coon Rapids chicken ordinance.

Attached are a few documents for your review:

1. Sample ordinance items suggested by City staff
2. What other cities are doing in the top four categories with backyard chicken coops
3. Adopted City of Blaine chicken ordinance
4. City of Blaine chicken registration application
5. Sample educational material drafted by the City of Crystal

If advanced, City staff and the Sustainability Commission feel that the education component is essential to any ordinance considered.

### **RECOMMENDATION**

City staff and the Sustainability Commission request direction from the City Council on whether a chicken ordinance is a priority within the City and, if so, under what conditions.

Coon Rapids Draft Ordinance Considerations

Ordinance Highlights from Other Cities

City of Blaine - Chickens Ordinance

City of Blaine Registration

City of Crystal - Educational Brochure

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# **Coon Rapids Residential Backyard Chickens**

## **Chickens Permitted**

Not more than four (4) chicken hens are allowed. No roosters or other fowl or birds are allowed.

## **Application and Staff Review**

- a) All chicken operations must be registered by the property owner with the City prior to placement and obtain the required permit. The City Council will establish a fee for the one-time registration and annual renewal process and fees.  
OR
- b) Permit issued in conformance with the provisions of this code. Once issued, the permit shall not require renewal, but is subject to revocation for violation of its terms, and is subject to revocation should a future City Council repeal all or a portion of this section of the City Code to limit chicken raising in the City.
  - Standards for the detail of the sketch shall be as from time to time directed by the City Staff. The City Administrator shall delegate staff responsibility to review applications and issue the permit.
  - So long as the structure comprising the coop is less than 60 square feet or less at the foundation level, no building permit shall be required, and the structure shall not be considered an "accessory building".
- c) Registration process consists of a site and building plan with location and specifics of coop, pen or run, and coop setbacks.

## **Site Specifications**

- a) Coop (and covered run) is limited to not more than sixty (60) square feet.
- b) Coop requirements are as follows:
  - The architectural style, color and facing material shall be compatible with the principal structure on site
  - All building material must be durable
  - All city building, electrical, property maintenance and zoning requirements must be followed
  - Coop shall be fully enclosed to prevent any escape by the chickens or entrance by migratory birds
- c) Shelters or coops and run shall be in the rear yard only and located at least ten (10) feet from side or rear lot lines.
- d) Shelters or coops and run shall be at least thirty (30) feet from an adjacent home (living space) and shall be located at least fifty feet from any well.
- e) All runs must be fenced unless the entire rear yard is fenced. Chickens are not allowed to run free at any time.

- f) Chicken may not be kept indoors and in garages. Coops must be maintained in a way to house chickens year round.
- g) Structure must be removed and site restored if keeping of chickens is discontinued for more than twelve (12) months.

#### **Maintenance of Chickens and Site Conditions**

- a) Food material must be stored outside in closed, metal container to avoid pests.
- b) Food shall not be allowed to accumulate around feeders, lots, run or coops and must be removed to avoid rodent and vermin.
- c) Manure may not be accumulated on the property. All waste must be properly disposed of or composted.
- d) All coops and run areas must be kept clean, sanitary and in good repair. Flies, rodents and noxious odors shall be controlled at all times.
- e) Slaughtering and processing of the chickens must be done off-site. No cockfighting is allowed.
- f) The applicant shall care for the welfare of the chickens on a daily basis, and shall not violate any code, rule or regulation of any governmental entity relating to the raising of animals.
- g) Injury or annoyance to others. No fowl or poultry may be kept or raised in a manner as to cause injury or annoyance to persons or other animals on other property in the vicinity by reason of noise, odor, or filth.
- h) Impounding fowl or poultry. Any fowl or poultry at large in violation of this section may be impounded by the City, and after being impounded for five (5) business days or more without being reclaimed by the owner, may be humanly euthanized or sold. A person reclaiming any impounded fowl or poultry shall pay the cost of impounding and keeping the same.

#### **Additional Conditions**

- a) If eggs are harvested, they may be used only for the personal consumption of the occupants of the dwelling sharing the lot, and may not be sold or given to others.
- b) In case of rental properties, the property owners must sign off on application. If the home is within a managed community and has a home ownership association, the association management must also sign off on the placement of the chickens. Note: Many neighborhood associations may prohibit the keeping of chickens or have more stringent standards.
- c) In the event of a pandemic or health outbreak involving chickens the City will provide licensed premise information to the Board of Animal Health.
- d) The applicant shall allow unlimited access to the City's agents and/or Board of Animal Health, without notice, for the purpose of conducting periodic testing or sampling necessary to evaluate the threat of communicable diseases associated with the presence of the chickens and to ensure all requirements are being met.
- e) Failure to comply with these standards will result in need for removal of birds and structure.
- f) These rules apply to backyard chickens only, do not apply to veterinarians, licensed pet shops or licensed kennels.

The City shall provide educational materials and resources to all residents interested in raising chickens to help ensure they understand the responsibilities associated with properly raising chickens. See the information created by the City of Crystal. We would like to have something similar to this.

## Chicken Ordinance Information

### City Information

**Commonalities:** most cities require some sort of permit but not all, no slaughtering, no cock fights, coop specifications, number limit based on zoning/lot size/city

City	Number of Chickens	Setbacks	Coop	Permit/Requirements
Anoka	4 chickens, no roosters	Not located in front yard, at least five feet from rear and side lot lines	Clean, sanitary, fully enclosed, must comply w/ zoning codes, defined as accessory building	No permit required, able to impound fowl if any issues
Blaine	6 chickens total	Rear yard, 5 feet from side/rear lot lines, 30 feet from adjacent homes	60 square feet total area for coop and run	Registration process, \$45
Andover	Based on city zoning for number of chickens allowed	Structure must be 100' from other residence, enclosure must be 50 feet from residence	Focused on location	Only chickens allowed where there is no municipal water/sewer. Permit dependent on zoning
Ramsey	Number of chickens dependent on lot size, but can be under 3 acres as of 2012	Coop must be 10ft from property line, 30ft from adjacent homes	Specific coop requirements defined	Require fee title and desire to maintain animals
Ham Lake	Single family residential zone, no more than 15 chickens	Part of TCUP	Must match house, fairly specific requirements	Approved by all neighbors within 100 ft, City Conditional Use Permit
Circle Pines	Only 4 female chickens allowed	25 feet from other residence, 15 feet from property line, must be in rear of home	Lot less than 15,000sf must get 70% neighbor support, Chickens must always be enclosed	Permit and fee required, yearly renewal

Minneapolis	No limit, no roosters	Housing and runs must be 20 feet from adjacent habitable building, must be in rear of home	Screened from neighbors, durable material compatible with home, area must be fenced	Permit required from Animal Care and Control, 80% of neighbors within 100ft
Shoreview	4 hens for under 2 acres, no roosters. 2+ acres- more hens and roosters but require conditional use permit	Under 2 acres: 30 feet from adjacent principal dwelling, must be in rear of home	Must be fully container, meet Development Code	Yes, two different types depending on lot size. 2 year permit
Mounds View *Public hearing for license rather than neighbor consent	Up to 8 chickens, no roosters/drakes	20ft setback from property lines	Coop must be clean, accessory structure rules apply.	\$100 fee for application (approved by council), \$30 annual after that (by staff)
Robbinsdale	Allowed 2 animals (any animal), more than that require permit		Must submit plans, approved by CC	Only over 2 chickens require permit



# City of Blaine Anoka County, Minnesota

10801 Town Square Drive  
Blaine MN 55449

## Legislation Text

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File #: ORD 15-2320, Version: 3

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**DEVELOPMENT BUSINESS** - *Bryan K. Schafer, Planning and Community Development Director*

### SECOND READING

#### **GRANTING A CODE AMENDMENT TO THE RE (RESIDENTIAL ESTATE), R-1 (SINGLE FAMILY), R-1AA (SINGLE FAMILY), R-1A (SINGLE FAMILY), R-1B (SINGLE FAMILY) ZONING DISTRICTS AND SECTION 33 (PERFORMANCE STANDARDS) TO ALLOW THE KEEPING OF NOT MORE THAN SIX (6) CHICKENS AS AN ACCESSORY USE. (CASE FILE NO. 15-0032/BKS)**

Planning Commission (Public Hearing)	06/09/15
City Council (1 <sup>st</sup> Reading)	07/09/15
<b>City Council (2<sup>nd</sup> Reading)</b>	<b>08/06/15</b>

The Planning Commission voted unanimously to approve the code amendment. Comments at the public hearing included support for the keeping of chickens, request for increased number of allowed hens, request for reduction of setbacks for coops, and request for reduced neighbor approvals.

*Note: The Planning Commission also recommended that the ordinance allow up to six (6) hens and that the side and rear setbacks be reduced from 15-feet to 10-feet. The proposed ordinance has been amended to include those two recommendations.*

The City Council discussed the proposed code amendment at the July 9, 2015 meeting and directed two changes to be made for 2<sup>nd</sup> reading. The change to reduce the side and rear setback to 5-feet and removal of the requirement to obtain sign-offs from the neighborhood have been included in the current amendment. The other City Council discussion was centered on the amount of the one-time registration fee. It is suggested that the fee, by motion, be lowered to \$45. This fee would then be included in the 2016 Fee Ordinance that will be considered by the City Council in December.

With the adoption and publication of this ordinance the City's single family residential zoning districts will allow raising and maintaining a small number of chickens. The ordinance will spell out the single family districts where chickens would be allowed and also detail what is allowed and the standards that will apply.

In summary the ordinance will allow:

- Up to six (6) hen chickens, no roosters
- A structure or coop, up to 60 square feet and meeting the setbacks of the ordinance.
- Coops must be in the rear yard, a minimum of five feet from side or rear lots lines and not within 30 feet of adjacent homes (living area).
- Chicken runs must be fenced (or entire rear yard fenced)
- Chickens must not be allowed to run free out of the fenced area
- Each chicken operation must be registered with the city prior to placement and meet all standards of the new ordinance
- The registration process involves a one-time fee (to be set by City Council)

By motion, approve the ordinance and by separate motion set the registration fee at \$45.00.

**THE CITY OF BLAINE DOES ORDAIN:** (Added portions are underscored and deleted portions are shown in brackets with overstrike.)

**Section 29.23 Accessory Uses for RE (Residential Estate)**

(f) Keeping of not more than six (6) hen chickens consistent with standards outlined in Section 33.23.

**Section 29.33 Accessory Uses for R-1 (Single Family)**

(f) Keeping of not more than six (6) hen chickens consistent with standards outlined in Section 33.23.

**Section 29.3003 Accessory Uses for R-1AA (Single Family)**

(f) Keeping of not more than six (6) hen chickens consistent with standards outlined in Section 33.23.

**Section 29.3013 Accessory Uses for R-1A (Single Family)**

(f) Keeping of not more than six (6) hen chickens consistent with standards outlined in Section 33.23.

**Section 29.403 Accessory Uses for R-1B (Single Family)**

(f) Keeping of not more than six (6) hen chickens consistent with standards outlined in Section 33.23.

### **Section 33.23 Standards for Rear Yard Chickens**

- (a) All chicken operations must be registered by the property owner with the City prior to placement. The City Council will establish a fee for the one-time registration.**
- (b) Registration process consists of a site and building plan with location and specifics of coop, pen or run, and coop setbacks.**
- (c) Not more than six (6) hens are allowed. No roosters are allowed.**
- (d) Coop (and covered run) is limited to not more than sixty (60) square feet.**
- (e) Shelters or coops shall be in the rear yard only and located at least five (5) feet from side or rear lot lines.**
- (f) Shelters or coops shall be at least thirty (30) feet from an adjacent home (living space).**
- (g) All runs must be fenced unless the entire rear yard is fenced. Chickens are not allowed to run free.**
- (h) Chicken waste must be removed from the coop so as to not cause a nuisance and be properly disposed of or composted.**
- (i) Slaughtering and processing of the chickens must be done off-site.**
- (j) Failure to comply with these standards will result in need for removal of birds and structure.**
- (k) Structure must be removed and site restored if keeping of chickens is discontinued for more than twelve (12) months.**
- (l) If the home is within a managed community and has a home ownership association the association management must also sign off on the placement of the chickens.**  
**Note: Many neighborhood associations may prohibit the keeping of chickens or have more stringent standards.**

**INTRODUCED** and read in full the 9<sup>th</sup> day of July, 2015.

**PASSED** by the City Council of the City of Blaine the 6<sup>th</sup> day of August, 2015.





# Keeping of Chickens Registration Worksheet

City of Blaine

10801 Town Square Drive

Blaine MN 55449

Registration Fee: \$45 (one-time)

Applicant: \_\_\_\_\_ Phone # \_\_\_\_\_

Street Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Property Owner (if different from above): \_\_\_\_\_ Phone # \_\_\_\_\_

Street Address: \_\_\_\_\_

**Sketch of Location on Property (include setback information):**

Intended # of Chickens: \_\_\_\_\_

Enclosure Dimensions: \_\_\_\_\_ H x \_\_\_\_\_ W x \_\_\_\_\_ L

Total Enclosure Size : \_\_\_\_\_ sq. feet

Please describe the materials used to construct the chicken enclosure\* (attach sketch of enclosure to this document): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Homeowners' Association approval required if home is within HOA managed area.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature of Property Owner if Different From Above)

**Applicant/property owner, by their signature, agrees to abide by the regulations established by the City of Blaine for the keeping of chickens, as printed on the reverse of this document.**

## City Use Only

Zoning: \_\_\_\_\_

Approved: \_\_\_\_\_

Not Approved: \_\_\_\_\_

Why: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Zoning Administrator)

\_\_\_\_\_  
(Date)

## Standards for Back Yard Chickens

- (a) All chicken operations must be registered by the property owner with the City prior to placement. The City Council will establish a fee for the one-time registration.
- (b) Registration process consists of a site and building plan with location and specifics of coop, pen or run, and coop setbacks.
- (c) Not more than six (6) hens are allowed. No roosters are allowed.
- (d) Coop (and covered run) is limited to not more than sixty (60) square feet.
- (e) Shelters or coops shall be in the rear yard only and located at least five (5) feet from side or rear lot lines.
- (f) Shelters or coops shall be at least thirty (30) feet from an adjacent home (living space).
- (g) All runs must be fenced unless the entire rear yard is fenced. Chickens are not allowed to run free.
- (h) Chicken waste must be removed from the coop so as to not cause a nuisance and be properly disposed of or composted.
- (i) Slaughtering and processing of the chickens must be done off-site.
- (j) Failure to comply with these standards will result in need for removal of birds and structure.
- (k) Structure must be removed and site restored if keeping of chickens is discontinued for more than twelve (12) months.
- (l) If the home is within a managed community and has a home ownership association the association management must also sign off on the placement of the chickens. Note: Many neighborhood associations may prohibit the keeping of chickens or have more stringent standards.

## Frequently Asked Questions

### ***1. Are any permits, licenses, fees, or prior approvals required from the City?***

No permits, licenses, fees, or prior approvals are required in order to raise backyard chickens. However, Crystal City Code Section 910 must be followed when constructing the shelter (coop) and enclosure (run). EXCEPTION: If electrical work is to be done, an electrical permit must be applied for through the City.

### ***2. How many chickens are allowed?***

Up to four hen chickens are allowed on single or two-family residential properties. Chickens are not allowed on properties with three or more dwelling units.

### ***3. I do not own my home. May I still raise backyard chickens?***

Yes, if you live in a single or two-family residential property, but only if the property owner provides a written statement to the City, confirming that the tenant may have chickens on the property.

### ***4. Can I keep chickens in my home or garage?***

Chickens over 4 weeks of age may NOT be kept inside the home or garage. They must remain in the coop or run at all times. Additionally, chickens must be secured inside the coop from sunset to sunrise each day to prevent noise and to avoid attracting predators.

### ***5. Can I have a rooster and breed chickens?***

Roosters and breeding of chickens are NOT allowed.

### ***6. Can I build the coop or run on my property line or next to the street?***

No. The coop must be situated closer to the chicken owner's dwelling than to any of the neighboring dwellings but in no case closer than 5 feet to the lot line. No coops or runs shall be located closer to an abutting street than the principal structure. Additionally, screening from abutting residences and streets in the form of a solid privacy fence of at least 4 feet in height (constructed according to the fence standards) shall be provided for the coop and run.



### ***7. How big can the coop be?***

The coop must neither exceed 120 square feet in size nor exceed 6 feet in height.

### ***8. How big can the run be?***

The run must neither exceed 20 square feet per bird nor exceed 6 feet in height and must have protected overhead netting to prevent predators.

### ***9. Do I have to provide an outdoor run?***

Yes. Chickens must have access to the outdoors.

### ***10. What do I do with chicken feces and discarded feed?***

Chicken feces and discarded feed are to be regularly collected and stored in leak-proof containers with tight-fitting covers until they can be properly disposed of. Chicken feed must also be stored in a leak-proof container with a tight-fitting cover.

### ***11. Can I sell the eggs from my chickens?***

Owners must comply with all requirements and performance standards for home enterprises in Crystal Zoning Code Section 515.33, Subd. 3b. The MN Dept of Agriculture Dairy and Food Inspection Division manages and enforces the sale of eggs. Contact them at 651-201-6027 for additional information about the selling of chicken eggs.



### ***12. Who do I call if I want to complain about someone's backyard chickens?***

Call Animal Control at 763-531-5161.

## FINAL THOUGHTS

- All building, electrical, property maintenance, and zoning requirements must be followed.
- Coops and runs must be constructed in a workmanship manner, maintained in good repair, and kept clean and sanitary to deter vermin and objectionable odors. Coops and runs may be constructed with wood and/or woven wire materials to allow chickens to contact the ground.
- Chickens must be properly protected from the weather and predators in a winterized coop.
- Owners must care for chickens in a humane manner and prevent nuisance conditions. NO slaughtering or cockfighting allowed.
- Use common courtesy with respect to your neighbors to make this a safe and enjoyable experience for everyone.

*Be considerate of your neighbors!*



## WEBSITE RESOURCES

Crystal City Code Section 910 (private kennel licenses and allowing for the keeping of chickens) & Zoning Code Section 515.33, Subd. 3b (home occupations for sale of eggs)  
[www.crystalmn.gov](http://www.crystalmn.gov)

University of MN Extension (backyard chicken basics)  
[www1.extension.umn.edu/food/small-farms/livestock/poultry/backyard-chicken-basics](http://www1.extension.umn.edu/food/small-farms/livestock/poultry/backyard-chicken-basics)

Chicken Rescue  
[www.brittonclouse.com/chickenrunrescue](http://www.brittonclouse.com/chickenrunrescue)

MDA Dairy & Food Inspection Division (sale of eggs)  
[www.mda.state.mn.us/en/about/divisions/dairyfood.aspx](http://www.mda.state.mn.us/en/about/divisions/dairyfood.aspx)

## CONTACTS

City Hall (switchboard)	763-531-1000
Animal Control	763-531-5161
Building Official	763-531-1141
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# RAISING BACKYARD CHICKENS



## CITY OF CRYSTAL

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## City Council Work Session

3.

**Meeting Date:** 10/13/2015

**Subject:** Chapter 5-200 Alcoholic Beverage Code Amendments

**From:** Joan Lenzmeier, City Clerk

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### **INTRODUCTION**

Council is asked to discuss and consider amendments to Chapter 5-200, Alcoholic Beverages to allow for temporary full intoxicating liquor, taprooms, brewpubs, growler sales, and a change to the Sunday on sale starting time.

### **DISCUSSION**

The City's alcoholic beverage code was amended in March of 2015 to allow for temporary intoxicating liquor strong beer and wine licensing. This change was made at the request of the City's non-profit service groups because they were struggling to acquire 3.2 beer for sale at their community events. During the discussion regarding the amendment in March, the question of whether to allow full intoxicating temporary liquor licenses was raised.

Staff has polled surrounding communities to determine what is allowed by their Code. See below:

City	Type of License
Andover	Temporary 3.2 Only
Anoka	Temporary 3.2 and Temporary Full Intoxicating
Blaine	Temporary 3.2 Only
Brooklyn Park	Temporary 3.2 and Temporary Full Intoxicating
Fridley	Temporary 3.2 and Temporary Full Intoxicating

In preparation for this work session, Staff also polled our non-profit service groups to gauge interest in utilizing a temporary full intoxicating liquor license and the consensus was that they would like to see the option made available to them but, at this point, it would depend upon the type of event and the cost of liquor liability insurance as to whether they would actually use the license. All the non-profits did indicate that the existing option of strong beer and wine has been working for their community events.

State law does allow for temporary full intoxicating liquor licenses but, currently, the City's code does not. Staff is asking Council to discuss this matter and provide direction on whether to proceed with a code amendment to allow for full intoxicating temporary liquor licensing.

Additionally, the City has been asked to consider allowing taprooms, brewpubs and growler sales. State law allows for taprooms, brewpubs, and growler sales but the City's code does not allow them at this time.

A taproom license allows for on sale of malt liquor produced by a brewer on the premises or adjacent to a brewery location owned by the brewer. Only relatively small, independent brewers would be eligible for a taproom license based on state law requirements. A brewpub license allows for on sale of malt liquor produced by a brewer on the premises just like the taproom license but the brewpub license adds the restaurant component. State law allows these brewers to be issued an off sale license to sell the beer they brew "to go" in state approved containers called growlers.

There was a change to State law this past legislative session to allow on sale liquor license holders to begin Sunday sales at 8:00 a.m. rather than 10:00 a.m. Staff is seeking direction from Council as to whether the City's code should be changed to allow for this State law change. The City's code currently prevents sales before 10:00 a.m.

### **RECOMMENDATION**

Discuss and consider proposed amendments to Chapter 5-200, Alcoholic Beverages.

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